

**In The United
States District Court
For The District of Delaware**

STEVEN KREBS d/b/a Kreative
Gardens Center

Plaintiff,

Civil Action No. 06 - 455 - KAJ

-Against-

"FEDERAL - "QUESTION(S);

PATRICIA A. MEYERS

Defendant.

And now here come(s). Patricia A. Meyers, Pro se legally
responding to the Adverse superficial / Issuable defense for delay only;
Apparent insidious overreaching - Hoodwinking not even worth the paper
it is typed on; "Speaking - Of;

John Tarburton's absurd - beyond {trivial} **"Motion to Remand"** It
is my position, that I feel I must file this;

"MOTION IN LIMINE"

If, it please - please the court, I Patricia A. Meyers due hereby
legally forwarded to be filed / docketed this manifest motion in limine /
Motion to **"DENY"** Tarburton's transparent Motion for Remand to STRIKE
in it's entire - Entirety, the bogus; Transparent insidious; {Page 1 of 13}

"MOTION FOR REMAND,." As, a "Matter, of "Law;

I, Patricia A. Meyers Pro se due hereby; **"ANSWER"** to the deceitful hoodwinking; **"MOTION FOR REMAND"** filed for, apparent delay only to procrastinate the constitutional dismissal of this nuisance / frivolous Non - Suit,. Filed apparently in full vehement Revenge {Via} the so - called Counsel, for; STEVEN KREBS,. In this so - called, **"MOTION FOR REMAND,"** the former partner, before his apparent official on the Record - intentional Termination, from partnership of Michelle L. Procino esq. He, Mr. Tarburton Has superficially listed a few separate ridiculous {proximity - based}, depraved vitreous purported reason(s) that the overreaching gravamen;

Ridiculous **"MOTION TO REMAND"** in his mind, should issue; Here are my legal - response(s) to some of his transparent depraved so - called reason(s),. My motion shall be rightfully **"GRANTED,"** in the Lawful interest of Justice,. Please review the following statement(s) to substantiate; My motion to **"Strike"** the gravamen; Adversary Tarburton's turbid Motion to Remand , and / or I Request that this high, uniform court of Law "DENY" Tarburton's indignative **MOTION TO REMAND,.** Same,. As law & Equal - justice impartially Require,. As a Matter of Law,.

{01}. Yes, the original complaint, was filed on or near to; Feb. 25th, 2005,. However, if the border - line lone counsel of **Steven Krebs** want(s) to get truly truly technical,.

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Let, us check, these Fact(s),. ...

Please Take Notice

Mr. Dennis L. Smith, is the one who actually signed for the initial very unprofessional subsequent so - called lawsuit,. This is / was only to delay,. The **"Legal - Eviction,"** / And Unequivocal termination of Lease of; your's truly **STEVEN KREBS,**. Yes, my incumbent {Legal - bona fide} Power of Attorney / Agent / Emissary and witness; Mr. Dennis L. Smith, is the person, who did sign for the initial complaint, that for what ever sarcastic reason, was filed in the de facto Delaware "Court of Chancery",. In which the Delaware Court of Chancery Now, has Absolutely "NO" jurisdiction over this **{ CASE },** under "Federal - "Law,. See; 28 U.S.C. Section 1446(c)(5),(d),.

As, a matter, of law,. Under the "Law,. .. See, also; "Rational basis test." However, it really, look(s), as though,. This, depraved - like mind, very Uncivilized - plan; of **"RACIAL - DIVISIVENESS, & "RACIAL - "DIVIDE,**. Of The, former, presiding judge; The Hon. / vel non; William B. Chandler The { 03rd },. / Chancellor - { SAME },. And the, as {02nd}, "Notice - **"SAME;** The possible, co-conspirator / **"Racist;** the **"Ousted - "Kicked - "Out, of the "Prominent / "Integrity - "Based, Law firm, of; Ms. Michelle L. Procino esq., per se** - Mr. John E. Tarburton,. Who was until, Just recently, barristering ?

"Out, of his home !! ?? { Sic },.. What, a "Big time, "Counsel, . ??

This, is very important, please pay attention,. Per se My point is this,. Mr. John E. Tarburton, & The Court, of Chancery, of DELAWARE'(s), Biggest; judge-ship; had better be legally advised of;

"PROHIBITED / "PROSCRIBED; 42 U.S.C. Section 1981(a).

Because, even though it is truly { SAD },.. To, yet again mention;
The fact, that a "Black-man, / **"AFRICAN - "AMERICAN,**.. Is, usually
In and instant, at first - sight; Labeled, Basically - "Unintelligent,. Per se

So, this so-called "REMAND, bogus absurd request, (via) ousted
counsel, Mr. John E. Tarburton; is so, so, very suspect,. Due to the depraved
- mind, "WISH, of the two of them, unofficially ,.. To, in their wildest -
wildest, of Dream(s), to get this { **CASE** }, back in the inferior de facto;
DELAWARE RACIST, "COURT of "CHANCERY, of RACIST - RACIST,
"SUSSEX COUNTY, DELAWARE,

Apparently, as it seem(s), to teach, me a lesson,. For simply, being a
"Power of **"Attorney,**.. For a white - lady, friend of the family,. I, must say,
myself; I, cannot apologize, for being "BLACK,. Because, I am a "Proud,
business "Owner - 'Proprietor,. Per se How-ever; the **"Color of my skin;**
was, Designed, and designated, (via), an act; of

{ OUR } - { GOD in heaven},. Now, if any atheist, are present,. I do sincerely apologize,.

Back, to the gravamen; "INSURRECTION - {Section 28 U.S.C. 1443(1)}, of the De facto; inferior,

State of DELAWARE; "COURT of CHANCERY; Here are the fact(s);

{ 01 } . Although, as we all know,. This case is currently Pendente lite, Before, the Honorable; KENT A. Jordan - { "FEDERAL - JUDGE" }; Apparently, This big - big time; 42 U.S.C.A. Section 1985(3). "Conspiracy, to "Wrongfully, "DENY Ms. Patricia A, Meyers "Inalienable - "Inherent - **"Constitutional "Right'(s),** to have been treated totally / unequivocally "EQUAL, In the de facto; State of DELAWARE - "Court of "Chancery,. This out, Out, wrongful - depraved - mind like illicit - campaign; { via }, as I reiterate Mr. John E. Tarburton, & Chancellor, of the State of Delaware Honorable, Vel non **court'(s) of Chancery - Cj. Hon. Mr. William B. Chandler III,**. Who, is Unequivocally, culpable; of numerous, judicial canon(s); Due to; As, I again factually stipulate; Although, { YES }, this case, is **{02nd}**, **"NOTICE;** Pendente lite, before the Hon. KENT A. JORDAN, in and for The U.S. Dist., of Del., However;

PLEASE TAKE NOTICE;

{Page 5 of 13}

This, out, & out "Racial - Injustice oriented / based; **{ PLOT }**, that Is so unrealistic,. Has, stepped way, - way, out of bound(s);

PLEASE See; Exhibit; " I " I, for Insurrective - like, despotic, **MALFEASANCE, doli capax, "Abuse of "Authority based; 42 U.S.C..A. Section 1983., In, which I, Patricia A. Meyers, will seek; 42 U.S.C.A. 1988. "The "Full "Vindication, of my "Civil - Right'(s),. Especially, the Adverse, wrongful { GAME(S) }, of; intrinsic, & extrinsic fraud,. And the like; The, "Overt / M A N I F E S T; FRAUDULENT ACT, OF THE DE FACTO;**

COURT OF CHANCERY, to send out, a farce of a scheduling "Order; When, in fact, they know / knew that this { CASE }, is still Pendente lite, in the U.S. Dist., of DELAWARE,. "Fact,.

In light, of the fact, of in the very least, border-line; Moral Turpitude, Of; the de facto judge, / chancellor Hon. Mr. William B. Chandler III.,

I, Patricia A. Meyers, would truly - truly feel, yet again; **"UNCONSTITUTIONALLY - "Prejudiced**, if this { CASE }, was illegally, **"REMANDED**, to the de facto "Court of Chancery, in & for Sussex "County,. Or, any other court, in the state of DELAWARE,. Per se It, would be "Truly adversely **"INHERENTLY - "PREJUDICIAL**, and a true; **"UNCONSTITUTIONAL, - "MISCARRIAGE OF JUSTICE**,. As a matter, Of law,. Under the law,. In multi-violation(s), of my **{Page 6 of 13}**

"Civil - "Right'(s) .

I, Patricia A. Meyers, due inherently - right- Fully, enjoy, all at birth
"Constitutional, legally ascertained - "Inalienable - **"LIBERTIE(S),**. Including,
but { NOT }, limited to my indelible - **"LIBERTY; / LIBERTIE(S),** to not
be illegally commingled; In, a involuntary { STATE } court; Setting; Biased,
and "Prejudiced, against myself, and mainly, my **"AFRICAN - "AMERICAN**
- Citizen / Constituent; incumbent "POWER, of "ATTORNEY, Mr.
Dennis L. Smith,.. As, a "Matter, of "law,. .. Mr. Smith, simply read(s), &
explain(s), thing(s), to Me,. He, simply protect(s), my "Best - "Interest, as any
TRUE-FRIEND, would..

In, fact, any adverse, Honorable, ruling(s), of this Honorable high,
Court,. Would, virtually take, us before the Honorable; 03rd Federal,
Judicial "Circuit of "APPEAL(S),. In, the **"City, of "Brotherly "LOVE,**.
This, is an option, that I Patricia A. Meyers, do have due, to in my
Pleading(s), I, did categorically file here - under; **28 U.S.C.A. Section**
1443(1). Section 1331. The, **28 U.S.C.A. Section 1331,** is / was
listed On; the initial **"CIVIL - "DOCKET "SHEET,**. As, a matter, of
"RECORD,."

Also, as I should inquestion, the active / viable incumbent -

**"Clerk, Of this, FEDERALLY 'OWNED, & "OPERATED, COURT OF
LAW;** **Dearest, staff of Mr. Peter T. Dalleo,** what on earth, do
I do with, See; exhibit; " I " yes, this, is truly - like; "Insurrection,. !
What, A "OBLOQUY,. As, it legally, on the record, { STANDS },.

Yes, Mr. Peter T. Dalleo, & "Staff; Sir; This, is all in your hand(s), now;
Sorry, to show, the truth, sorry for the; current - incumbent; Chancellor,
Of; State, **of DELAWARE'(S) "Court'(s), of "CHANCERY,**. As, far as his;
"WRONGFUL, - "DESPOTIC, DEFILED, INCONTROVERTIBLE,
PROFLIGATE, MAKE - believe; "Farce, of a "Scheduling "Order; from; your
honor; **Chancellor; Hon. Vel non Mr. William B. Chandler 03rd,. { Sic },.**
..

If, it please, the court,. May, I inquestion, as to whether, the perfunctory
MALFEASANCE, 42 U.S.C. A. Section 1983. Section 1985(3).
Malact(s), Of; the de facto, **"Court of Chancery'(s) - "TRULY - "Premier
- de facto- Like, head judge; Chancellor; Hon. Vel non William B.
Chandler III.,** Now, is he above, **"Constitutional - "Rational basis test.**
? Is, he above "Clearly "Established, "Federalized - "Viable - "Statutory-
Statue(s), of **:FEDERAL - "LAW; ??**

Is, this really, reality ? Has, he lost it ?? The, revenge factor; is truly
viably, before this "High, Honorable, **"UNITED STATES OWNED, &
operated** court, of law; The, de facto

Court of Chancery, of State of Delaware'(s), Chief; / chancellor
judgeship; has not only, **"VIOLATED;**

See; 28 U.S.C.A. Section 1446(c)(5),(d). But, he apparently,

{"CANNOT"}, be **"CONTROLLED,**. { Sic },. Now, how can, this

"High U.S. Const., Art. III federal - court, condone, / agree

To; **"REMAND ?** If, this **State of DELAWARE** judge; is sending

Out; **"False, scheduling "Order'(s),** while the case, is still,

Legally "Pendente lite, here { 03rd } - **"NOTICE { SAME };**

So, can you even imagine; the **"UNCONSTITUTIONAL,**

Bias, and **"Prejudice,**. That he would have against, my person;

Ms. PATRICIA A. MEYERS, if this ever, went back, to his de facto court ?

It, would be a true, "Wrongful; "Miscarriage, of JUSTICE; And "Vicarious,

Liabilitie(s), would arise,. As a matter, of law,. Under the law,.

In, conclusion; "No, I am not an attorney,. How-ever, as a **"Pro se, I**

am Legally forwarding, all of this, in **"Good - "Faith,**. And, as it is read,.

If, deemed, **{ EVER },** necessary, the { 03rd } Judicial - "Circuit, of

.Just up, "North, would be legally compelled,. To, review with clarity

These, same legal - document(S),. That, I trust, that this court will,

Not create a "Culpable - "UNCONSTITUTIONAL - "MISCARRIAGE,

OF JUSTICE; . Let, us please remember;

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"EQUAL JUSTICE, under the "LAW; I, truly refused, to be prejudiced, (via) any court, in our honor- Able, Civilized, "DEMOCRACY,. And I truly, trust, that the "Illustrious, "Eminent, "Prestigious, Transcending - "honorary - "honorable - "indisputable - "CREDENTIAL(S), OF THE "Unprecedented, **PRESIDING, JUDGESHIP,** Will, impartially, decide this case,. Totally, irrespective, to the fact; that I am unfortunately - Without, an attorney,. However; the truth, is on my side,.

And, the truth, will set you, "Free . In meaning, this { **CASE** }, Need(s), to be "Dismissed, as a "Matter, of law,. Immediately,. And or, at the very - very - earliest, convenience of the Court,. I, Ms. Patricia A. Meyers Pro se,. Simply refuse, to be yet again, **Face, a state of DELAWARE Court; that, has ALREADY WRONGFULLY, "intentionally VIOLATED; 28 U.S.C.A.. SECTION 1443(1).**

As a Matter, of law; And I, know that this court, will not,. Side, with Conspiracy, against my person,. Who is already, disadvantaged,. Due **To "NO " legal - "Counsel,**

Dearest; Staff; of the **"Presiding JUDGE,** This, Honorable Court, has to base, this case on the merit(s), of the, Legal document(s),. Before the **"Court,** Not, who has purported, {Page 10 of 13}

Questionable - suppose - to - be; legal - "Counsel,.

This case, { **S H A L L** }, **BE EVENTUALLY "DISMISSED**, in it'(s)
 "ENTIRETY,. Due to plain, & Simple; The, State of Delaware'(s),
 Higher court(s), other than; the shallow; Jp court(s)'. Require,
 That all judgeship(s), be previous, **"Compotent - "Barrister(s), /**
 "Attorney'(s),. So, let us take, that fact, into retrospect,.
 Since, the State of DELAWARE'(s), Court of Chancery,
 Already had their chance; to have treated, my person fair,. And
 Without - "Unconstitutional - **"Wrongful - "Prejudice,. Since,**
 The judgeship, then superficially presiding,. Chancellor, Hon. Vel non
 William B. Chandler III., who, I truly assume, is a former, fine attorney,.

I, must say,. He must be very **"Special,**. To have risen, to the seat, that
 he so, Maintain(s),. Yes, my hat is "off, to ya,. However, I, know that the
 chancellor, Of the, Court of Chancery of State of Delaware, W. B.
 Chandler, Is, fully - vehemently aware, / abreast, of people(s), /
 citizen(s) / Constituent(s), "Inalienable - 'Civil - 'Libertie(s),. So, since his
 court, Did "Not, uphold, nor **"Constitutionally "ENFORCE, my**
"Inalienable, "INHERENT - "Civil - "LIBERTIE(S),. Nor, did he uphold,
 my Consituational right'(s),. Not to be prejudiced against,.

Let, us also remember; Having a lawyer, is not alway(s), a positive,
In the cruel - stealth - clandestine going(s), on in our society today,.
However; One, cannot be **"Prejudiced, against, as a matter of law;**
Just because, they do not have legal counsel,. As a matter, of law,.

I, trust that justice, will prevail,. In this legal matter,.

And, I know, that the "Integrity, of the Honorable - 'Presiding,
Justice; will { " NOT " }, allow for this { CASE }, to be
"WRONGFULLY / "UNCONSTITUTIONALLY sent back,
To; a **"Racial - "Injustice setting,.** And, to put my person, in a de facto
court,. That, has already, had their chance, to treat my person, with dignity,
Integrity, and respect,. As, all of us in this "Wonderful, "DEMOCRACY, have
"So, **"INHERENTLY - "INALIENABLY - So - "ASCERTAINED,.** But yet
DENIED,. The, de facto court, in question, has, wrongfully, "DENIED", my
person, "Previously **"Constitutional - 'EQUAL - "JUSTICE, under the
law;**

Therefore, legally - rightfully "Preventing, any
"UNCONSTITUTIONAL; "REMAND(S), under the law,. The, court in
question, has wrongfully "Violated, the very - rightful - fabric, of this
"NATION,. Including but, **{Page 12 of 13}**

"Not, limited to; U.S. Const., 14th Amend. / "Bill of "Right'(s),. I,
Was truly, wrongfully prejudiced, in the court in question,. And I do Not
foresee, this "High court condoning, yet another; purported "RACIAL -
"INJUSTICE oriented, de facto court setting,. That, would
Yet again, illegally "Wrongfully - **"Heinously - "VIOLATE;** multiple
"Rational basis test., "Federalized, statutory, "Libertie(s),. That
Were, unconditionally ascertained, at birth of myself; Ms. Patricia A. Meyers.
And I, a **"UNITED STATES Citizen**, cannot be compelled, to illegally,
Endure, yet same,. Yet, again,. Because, any wrongful **"REMAND(S),**
Would, be "Patently - "Violative, and of "Express constitutional -
"PROHIBITION(S),. As a matter, of law, under the law,.

X Patricia A. Meyers

Ms. Patricia A. Meyers

X Dennis L. Smith

Dennis L. Smith
Power of Attorney
/ agent / emissary / and
Witness for Patricia A. Meyers

Date : 9/13/06

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

STEVEN KREBS, d/b/a, KREATIVE
GARDEN CENTER,

Plaintiff,

v.

PATRICIA A. MEYERS,

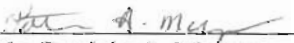
Defendant.

C.A. No.: 06 – 445 - KAJ


**AFFIDAVIT OF PATRICIA A. MEYERS
AFFIDAVIT OF DENNIS L. SMITH**

UNITED STATE DISTRICT COURT :
: SS.
DISTRICT OF DELAWARE :

The, preceding – indelible truthful – statement(s), in the “ MOTION IN LIMINE ” are true to the best of my knowledge and belief(s); of; Mr. or Ms. and are in full vehement compliance / Compliance(s), Here-with,/ Here – under; 28 U.S.C.A. Section 1746.


Ms. Patricia A. Meyers.

9/13/06
Date


Mr.. Dennis L. Smith

9/13/06
Date

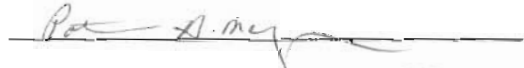

CERTIFICATE OF SERVICE

I hereby certify that two true copies of the " Motion in Limine " have been Hand
– Delivered and/or certified mailed this 13 day of September 2006, to counsel for Plaintiff at
the following addresses:

United States District of Delaware
Bogg'(s) Federal Bldg.,
844 N. King Street
Lockbox 18
Wilmington, DE 19801 – 3517

John E. Tarburton, Attorney
Bar I.D. No 3918
420 Pennsylvania Avenue, Suite 2
Seaford, Delaware 19973 - 3706
(Note: Another new address)
Certified Mail No. 7005 3110 0000 1602 7627
Client Mr. Steven S. Krebs
Certified Mail No. 7005 3110 0000 1602 7719

and that counsel and the United States District Court of Delaware has received these two copies
by Mr. Dennis L. Smith power of attorney / emissary / agent and witness.

**In The United
States District Court
For The District of Delaware**

STEVEN KREBS d/b/a Kreative
Gardens Center

Plaintiff,

Civil Action No. 06 - 455 - KAJ

-Against-

"FEDERAL - "QUESTION(S);

PATRICIA A. MEYERS

Defendant.

To; **"Incumbent - Clerk,"** & the Staff of Mr. Peter T. Dalleo,.

Please Take Official Luminous / Overt / Manifest

"NOTICE"
Of; Defendant'(s);

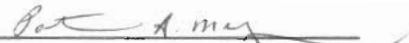
EXHIBIT; " I "

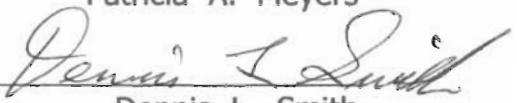
" I " for Insurrective / Insurrection - like proscribed / prohibited
insidious - clandestine depraved - mind hood - winking Connotation(s);
Of the inferior, de facto Subordinate State of Delaware judgeship , that is
vehemently , categorically on the **"BUBBLE",.** As a matter of Law,. Re;
The very unconstitutional ; Transparent / Meaningless Insurrective Apparent

Apparent scheduling Order, from The de facto State of Del. Court of
Chancery,.

Please Take Notice

To subject Gravamen / Same,.

X 
Patricia A. Meyers

X 
Dennis L. Smith
Power of Attorney
/agent / emissary / and
Witness for Patricia A. Meyers

Exhibit

" I "

WILLIAM B. CHANDLER III
CHANCELLOR

COURT OF CHANCERY
OF THE
STATE OF DELAWARE

Exhibit I

COURT OF CHANCERY COURTHOUSE
34 THE CIRCLE
GEORGETOWN, DELAWARE 19947

Submitted: July 28, 2006
Decided: August 29, 2006

John E. Tarburton
303 N. Shipley Street
Seaford, DE 19973

Patricia A. Meyers
RR 4, Box 103A
Frankford, DE 19945

Re: *Krebs d/b/a Kreative Garden Center v. Meyers*
Civil Action No. 1120-S

Dear Counsel and Ms. Meyers:

On January 31, 2002, the parties executed a three-year commercial lease agreement (the "Lease Agreement") calling for Meyers to lease about two and a half acres of Meyer's six-acre parcel of land (the "Property") to Krebs. On November 12, 2004, Meyers offered to sell Krebs the Property for \$3,500,000, which Krebs rejected. On December 2, 2004, Krebs notified Meyers of his intention to extend the lease an additional five years, allegedly pursuant to the terms of the Lease Agreement. Meyers responded by letter dated December 18, 2004, effectively rejecting the extension. On February 23, 2005, Krebs commenced this action seeking declaratory and injunctive relief to interpret the lease extension language of the Lease Agreement, and to enjoin Meyers from interfering with plaintiff's use and quiet enjoyment of the property.

Initially before me is plaintiff's motion to amend the complaint to preclude the participation in this litigation of defendant's agent, Dennis Smith. As this Court noted, Smith cannot act as an attorney representing Meyers merely by acquiring a power-of-attorney.¹ Because plaintiff's motion to amend the complaint has been mooted by this Court's subsequent ruling, the motion is denied.

¹ *Krebs v. Meyers*, C.A. 1120-S, Letter Op. (Del. Ch. July 18, 2006).

Also before me is defendant's speaking motion to dismiss the complaint, filed February 10, 2006.² Recognizing the speaking motion as a product of a pro se defendant, this Court will carefully erect the best legal arguments available beneath the arguments asserted in the motion. Defendant moves to dismiss the complaint for failure to state a claim, on a number of grounds. First, by the terms of the Lease Agreement, Krebs failed to make a timely extension request, and even if he did make a timely extension request, Meyers was not obligated to grant his request. Second, the Lease Agreement's authenticity and, in particular, the authenticity of the lease extension paragraphs, are in doubt. Third, Krebs breached the Lease Agreement, permitting Meyers to rescind the entire agreement. Fourth, **the boundaries of the Property itself** are in dispute. Fifth, the Lease Agreement is unconscionable. Sixth, Meyers considers Krebs dangerous, as he is a convicted sex offender.

Resolving these issues will require the development of a more complete record. The first issue requires the construction of a contract, which is typically decided at the summary judgment stage. The second issue requires the presentation of evidence challenging the authenticity of the Lease Agreement. The third issue once again requires construction of a contract. The fourth issue requires presentation of evidence regarding the fulfillment of one of the Lease Agreement's terms: that the parties would delineate the boundaries of the leased portion of the Property by mutual agreement on-site. The record is likewise sparse in respect to the fifth and sixth issues. Consequently, defendant's motion to dismiss is hereby denied.

All further proceedings in this case shall be governed by the case scheduling order, which has been entered on this date. All parties and counsel are expected to cooperate with each other, and to comply strictly with the Scheduling Order.

IT IS SO ORDERED.

Very truly yours,

A handwritten signature in cursive script that reads "William B. Chandler III". The signature is written in dark ink and is positioned above the printed name.

William B. Chandler III

WBCIII:bsr

² A reply brief due July 28, 2006, has to date not been filed.

IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE

IN AND FOR SUSSEX COUNTY

STEVEN KREBS d/b/a
KREATIVE GARDEN CENTER,

Plaintiff,

V.

C.A. No. 1120-S

PATRICIA A. MEYERS,

Defendant.

SCHEDULING ORDER

1. All discovery shall be completed by October 31, 2006.
2. All dispositive motions, together with opening brief, shall be filed by November 13; answering briefs by November 27; and reply briefs by December 4, 2006.
3. Trial is scheduled for January 2, 2007, commencing at 9:30 a.m. in the Court of Chancery Courthouse, 34 The Circle, Georgetown, Delaware.

William B. Chandler III

Chancellor

Dated: August 29, 2006